

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 24-mj-8095-RMM

UNITED STATES OF AMERICA

v.

SAMANTHA YI,
a/k/a "China," and
DARNELL MENDEZ

Defendant.

/

FILED BY SP D.C.

Mar 5, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - West Palm Beach

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? Yes No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? Yes No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? Yes No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

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for the
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Defendant(s)**FILED BY SP D.C.****Mar 5, 2024**ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - West Palm Beach**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 2022 through the present in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 USC § 846 and 841(b)(1)(C)	Conspiracy to possess with intent to distribute fentanyl
21 USC § 841(a)(1) and (b)(1)(C)	Distribution of a controlled substance (fentanyl) resulting in death of another

This criminal complaint is based on these facts:

See Attached Affidavit

 Continued on the attached sheet.*Daniel Tadeo*

Complainant's signature

Special Agent Daniel Tadeo, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 3/5/24

Judge's signature

City and state: West Palm Beach, FLRyon M. McCabe, U.S. Magistrate Judge

Printed name and title

I, Daniel Tadeo, being duly sworn do hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Drug Enforcement Administration (“DEA”) and have served in that capacity since August 2008. During my career in law enforcement, I have acquired work experience and specialized training in narcotics related investigations, including drug trafficking, clandestine narcotics manufacturing, narcotics importation, narcotics transportation, Title-III intercepts, electronic surveillance, use of telecommunications as a means to facilitate criminal activity and conspiracy to commit narcotic related crimes. During these investigations, I have participated in the execution of search warrants, and debriefed or participated in debriefings of defendants, informants, and witnesses who had personal knowledge regarding narcotics trafficking organizations. The aforementioned investigations resulted in the arrest and prosecution of numerous individuals for narcotics violations under both state and federal law.

2. This affidavit is made in support of a Criminal Complaint and Arrest Warrant charging **Samantha YI, a/k/a “China,”** (hereinafter “YI”) and **Darnell MENDEZ** (hereinafter “MENDEZ”) with violating Title 21, United States Code, Sections 846 and 841(b)(1)(C) (conspiracy to possess with intent to distribute fentanyl).

3. This affidavit is also submitted in support of a Criminal Complaint and Arrest Warrant charging **Samantha YI, a/k/a “China,”** with violating Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) (distribution of fentanyl resulting in death).

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement officers. The limited purpose of this affidavit is to establish probable cause for the offenses described above. Accordingly, this affidavit does not set forth every fact that is known to me, or other law enforcement officers.

PROBABLE CAUSE

I. Introduction

5. After the fentanyl poisoning death of a 10-month old baby, DEA and the Boynton Beach Police Department (BBPD) began an investigation to identify the source of the fentanyl that caused her death. Investigation determined, as described below, that YI and MENDEZ are fentanyl distributors who work together to sell fentanyl. Investigation further determined that YI distributed fentanyl on March 30, 2022, to the baby's mother – an addict and customer of YI and MENDEZ. That fentanyl was ingested by the baby, causing her death on April 5, 2022. Additionally, DEA has conducted a long-term drug investigation of YI and MENDEZ through undercover officers. Between December 27, 2022 and December 12, 2023, undercover officers have purchased a total weight of approximately 136 grams of fentanyl from YI and MENDEZ.

II. Overdose Death of 10-Month Old Baby

6. On March 31, 2022, at 8:03 pm, the Palm Beach County Sheriff's Office (PBSO) and Palm Beach County Fire Rescue responded to a 911 call in Boynton Beach, Florida, within Palm Beach County and the Southern District of Florida. The location was a shopping mall parking lot near the intersection of Military Trail and Boynton Beach Boulevard. The 911 call regarded a ten-month old baby suffering from a medical episode. The baby was found unresponsive and unconscious. She was then transported to Bethesda Hospital East along with the baby's mother who was present.

7. A PBSO investigator met with the baby's mother while at Bethesda Hospital East to investigate the circumstances. The baby's mother explained that she was at their apartment with the baby while the baby's father was at work. The mother stated that during the afternoon, on March 31, 2022, the baby was excessively fussy and inconsolable. The mother stated that she made

the baby a bottle of formula and laid her down to sleep. The mother told the investigator that she was almost out of baby formula and needed to go to a Target department store located in west Boynton Beach to obtain more baby formula. The mother stated that she observed the baby to be excessively drowsy and slumping with her head forward as she secured the baby into the car seat. The mother stated she then began to travel to Target when she noticed the baby making strange noises while being slumped over. The mother stated that she pulled her vehicle over near the intersection of Military Trail and Boynton Beach Boulevard and called 911.

8. PBSO investigators also spoke with the father of the baby. The father explained that he was at work during this incident and became aware of the medical emergency during a video call with the baby's mother. PBSO asked the father for consent to search their apartment. The baby's father told PBSO that he needed to go speak with the baby's mother who was also at the hospital. When the baby's father did not return, investigators suspected that the baby's father may have gone back to the apartment to potentially destroy evidence. PBSO then notified BBPD and requested that officers go to the apartment in case the father returned. When BBPD officers arrived at the apartment they discovered the baby's father was already inside.

9. PBSO responded to the apartment and found it to be in disarray. Additionally, it appeared that the father had attempted to clean up the residence before investigators arrived. The preliminary investigation indicated that the crime scene was in the City of Boynton Beach and therefore PBSO relinquished control of the investigation to BBPD.

10. A BBPD homicide detective took over the investigation and obtained a state search warrant for the apartment. During the search, officers discovered an empty gelatin capsule with residue. The empty capsule was located on a tray which was lying on top of the bed inside of the master bedroom. Officers also located an empty gelatin capsules floating inside a toilet. The

capsule with the residue was seized and subsequently analyzed by the PBSO Chemistry Unit. Testing revealed that the residue was positive for Para-Fluorofentanyl and Fentanyl.

11. On April 1, 2022, the baby was taken from Bethesda Hospital East to Joe DiMaggio's Children Hospital in Hollywood, Florida. Doctors there found that the baby did not have any brain activity or nerve response and that her medical condition was likely terminal. On April 5, 2022, the baby was removed from life support, and passed away. An autopsy was then conducted by the Palm Beach County Medical Examiner's Office on April 6, 2022. It was determined that the baby's cause of death was fluorofentanyl and fentanyl intoxication and her manner of death was homicide. Toxicology testing was performed as part of the examination which revealed fluorofentanyl, fentanyl, norfentanyl, and naloxone in her blood system. The autopsy also determined that the baby's death was due to ingestion of illicit drugs in the setting of an unsafe environment.

III. Homicide Investigation

12. The BBPD seized the baby's mother's cellular telephone and executed a state search warrant to conduct a forensic analysis of the content of the device. The forensic analysis revealed specific location information, videos relevant to the investigation, internet searches, and electronic communications. Using the mother's cellular telephone, and other evidence obtained during the investigation, a timeline of events was established for March 31, 2022. At approximately 4:54 pm, a video was taken at the residence by the baby's mother and showed a black screen. In the video the baby could be heard in respiratory distress. At approximately 4:58 pm the baby's mother sent that video to some of her family members saying, "This can't possibly be a normal sleeping sound." At approximately 5:19 pm, the mother recorded a similar video of the baby in apparent respiratory distress. At approximately 6:37 pm, the mother placed an outgoing

call to telephone number (***)- 5773. The telephone number was listed within the mother's contacts as "China" (later identified through the investigation as Samantha YI). This call was unanswered. The baby's mother then sent an outgoing text message to YI, which stated, "been trying to call you but calls aren't going thru." The baby's mother received a return call from YI that was answered and lasted approximately thirty-nine seconds. At approximately 7:08 pm, YI texted the mother "Am here." At approximately 7:09 pm, the mother is captured on a Ring Doorbell camera leaving her apartment with the baby.

13. Forensic analysis of GPS data contained within the mother's cellular telephone showed that she left the apartment and traveled on Old Boynton Road to Congress Avenue. While driving, the mother took another video of the baby in her car seat. The video captured the baby seated in her car seat with her head slumped forward. The baby was clearly in respiratory distress. At approximately 7:19 pm, the mother sent an outgoing text message to YI with the video asking, "have you ever heard anything like this??!?!??" Shortly after sending the video to YI, GPS location data showed that the mother went to a mobile home park in Lake Worth, Florida that was associated with YI's mother. GPS data captured the telephone at that location for approximately seven minutes before departing. Thereafter, GPS data shows that the mother drove with the baby to the area of Military Trail and Boynton Beach Boulevard where she called 911 at approximately 7:52 pm.

14. The baby's mother was arrested by the BBPD and charged with Aggravated Manslaughter of a Child by Culpable Negligence. Investigation determined that the baby's mother was a drug addict and had been abusing fentanyl regularly. Investigation by DEA and BBPD also revealed that on March 30, 2022, the baby's mother purchased fentanyl from YI. On March 31, 2022, the baby's mother used fentanyl in the apartment with which she shared with the baby.

IV. Identification of YI as Drug Dealer for Baby's Mother

15. The content of historical text messages between the baby's mother and "China" involved the distribution of fentanyl during the time leading up to the baby's death. Utilizing law enforcement database checks, investigators linked this cellular telephone number to YI with an address in a mobile home community in Lake Worth, Florida. This was the same address as the mobile home that the mother travelled to on March 31, 2022, and before calling 911.

16. Law enforcement initiated the investigation of YI by conducting surveillance at the mobile home. Investigators observed YI in a vehicle with another individual, later identified as MENDEZ, conduct hand-to-hand exchanges with several individuals. These transactions were consistent with drug deals and law enforcement conducted a traffic-stop of one of the individuals. That individual was found in possession of fentanyl capsules and admitted to receiving the capsules from MENDEZ. The individual ultimately became a confidential source of information (hereinafter "CI"). The CI informed law enforcement that the CI had been purchasing fentanyl from MENDEZ and YI for approximately two years.

17. On December 22, 2022, the CI conducted a controlled purchase of fentanyl from MENDEZ. The drug deal took place at the same mobile home in Lake Worth, Florida. The CI was accompanied by an undercover officer (hereinafter "UC1"). The substance sold to the CI was tested by the DEA Laboratory and confirmed to contain fentanyl. During the transaction, MENDEZ told YI to introduce herself to the UC and provide the UC with a sample of marijuana. YI did so and also provided UC1 with her telephone number, (***-*)-5773, which was the same telephone number stored in the mother's cellular telephone under the contact "China."

18. Investigation of MENDEZ's criminal history revealed that he has been convicted previously of several crimes of violence and drug trafficking offenses. In 2016, MENDEZ was convicted of possession of cocaine and heroin with intent to sell in Palm Beach County, for which he was sentenced to two years in prison. Additionally, in 2011 MENDEZ was convicted of robbery with a firearm, aggravated battery and false imprisonment in Palm Beach County for which he was sentenced to six years in prison.

V. Baby's Mother's Cooperation with DEA

19. The baby's mother agreed to cooperate with DEA in the investigation of YI and MENDEZ. It should be noted that the baby's mother is currently being prosecuted by the State of Florida for her child's death and the mother is seeking judicial consideration by the State of Florida in exchange for her cooperation. The mother has counsel and has met with the DEA and the United States Attorney's Office on several occasions to provide information about YI and MENDEZ. The mother was granted use immunity by the United States Attorney's Office for her statements in federal court. The mother was not granted any immunity by the State of Florida. The mother has also appeared before a federal Grand Jury to testify about the circumstances surrounding her child's death, as well as YI and MENDEZ. During Grand Jury proceedings, the mother waived her Fifth Amendment privileges and was not granted immunity by the federal government or the State of Florida. The following information was gathered from the mother during her cooperation.

20. The mother told investigators that she had used cocaine, prescription pills and "Molly" recreationally in the past but had never considered herself addicted to drugs. She said that in approximately 2019 she experienced a very painful medical problem, and that the baby's father provided her with oxycodone tablets for the pain. She said that she became addicted to oxycodone. The baby's mother told investigators that on one occasion while meeting with her oxycodone

dealer YI and MENDEZ were also present. She explained that YI and MENDEZ supplied her oxycodone dealer with crack cocaine. The mother also learned that YI and MENDEZ sold other drugs, including oxycodone and fentanyl. This introduction occurred before her baby was born in 2021.

21. The mother explained that at first, neither she nor the baby's father knowingly used fentanyl. Rather, she and the baby's father abused oxycodone. She also explained that they did not use MENDEZ and YI as sources for oxycodone because they charged more than other dealers and that MENDEZ was not reliable. The baby's mother did say that on one occasion she and the baby's father purchased fentanyl powder from YI and MENDEZ. She recalled that after she ingested the fentanyl powder, the baby's father told her that her face began turning blue from apparent lack of air. The mother also said that this experience scared her and at that time she avoided using a substance she thought may contain fentanyl.

22. The baby's mother told investigators that she and the baby's father began obtaining fentanyl capsules from YI and MENDEZ in approximately January 2022 after they were no longer able to get in touch with their oxycodone dealer. The baby's mother told investigators that although she had initially been reluctant to use fentanyl, she believed that the tablets she was purchasing from her oxycodone dealer probably contained fentanyl anyway. The mother stated that because of this realization, she was no longer scared to use fentanyl despite the known risk of an overdose. In addition, the fentanyl capsules they obtained from YI and MENDEZ were cheaper than the oxycodone tablets that YI and MENDEZ sold.

23. The baby's mother told investigators that from approximately January 2022 until and through March 2022, YI and MENDEZ were their only source of supply for fentanyl capsules. She explained to investigators that they purchased fentanyl from YI and MENDEZ multiple times

per week. She said that YI and MENDEZ charged \$20 per capsule of fentanyl. The mother also stated that YI and MENDEZ would reduce their price if she purchased more than one capsule at a time. She stated that YI and MENDEZ would charge \$50 if she purchased three capsules and \$100 for seven capsules of fentanyl. She said that she would usually purchase approximately 14 capsules for \$200. However, on some occasions, when she had more or less money, the mother stated that she would buy a few more or a few less. She said that 14 capsules would typically satisfy their addiction for approximately two days (3.5 capsules each per day).

24. The baby's mother told investigators that she was not working in early 2022. She explained that the baby's father would provide her with money, and she would arrange to meet YI or MENDEZ to purchase fentanyl capsules. She said that she would either text YI or call YI to arrange the number of capsules she wanted to purchase and then YI would direct her where to meet. The baby's mother said that she would meet YI at various locations including YI's mother's mobile home in Lake Worth, Florida. The mother would also meet YI in the parking lot of the Dollar Tree located near the intersection of Lantana Road and Lyons Road, the Target located at the intersection of Boynton Beach Blvd., and Hagen Ranch Road, and either the T-Mobile store or Walgreens located at the intersection of Congress Avenue and Hypoluxo Road. She said that she would typically arrive at the meet location before YI. The baby's mother said that when YI arrived, she would typically walk to the baby's mother's vehicle to sell her the fentanyl. She said that frequently when YI arrived at the location to buy drugs, MENDEZ would be in the car with YI. After purchasing the fentanyl from YI, the baby's mother said that she had observed YI give the money to MENDEZ.

25. The baby's mother described YI and MENDEZ as being a "package deal." The mother stated that they were usually together when they were distributing fentanyl capsules to her.

The mother said that she would usually have the baby with her in the car seat when she met YI. She said that she would sometimes talk about childhood milestones with YI because YI had older children. On one occasion, as found in the forensic examination of the mother's cellular telephone, the mother acknowledged that she was bringing her infant daughter to purchase drugs from YI. On March 26, 2022 the mother sent a series of electronic communications to YI which stated in part, "I'm bringing a dirty baby because I legit JUST finished feeding her lol you may not judge me based on the excessive amount of food on my kids fave short hands and hair."

26. The baby's mother said that after she would acquire the fentanyl capsules, she would return home or bring them to the baby's father if he was at work. The baby's mother said that she and the baby's father ingested the fentanyl powder contained within the capsules by snorting it. The mother said that she would often open the capsule and place the fentanyl powder on the kitchen countertop and then snort the fentanyl powder from the countertop. She said that they would also snort fentanyl powder from the dresser in the master bedroom.

27. The baby's mother provided information about her recollection of the events on March 31, 2022. She said that she woke up at approximately 1:00 pm. She said that the baby's father was in the kitchen feeding the baby who was in a highchair. She said that she took over feeding the baby while the baby's father got ready for work. She said that the baby's father departed for work at approximately 3:00 pm. The mother indicated that the baby wasn't experiencing any medical issues at that time, nor was she having difficulty breathing.

28. The baby's mother said that the baby usually took a nap at 3:00 pm but that the baby was fussy and did not end up going down for her nap until approximately 5:00 pm. The baby's mother said that she was watching the baby on the baby-monitor and at that time she could hear unusual breathing sounds. She said that she recorded video of the baby to share with her

family and friends to see if anyone could tell her what they thought was wrong with her. The baby's mother said that during this time she had communicated with YI about obtaining more fentanyl capsules. She said that at approximately 7:08 pm she received a text message from YI indicating that YI was at her mother's mobile home. She said that she departed her residence with the baby and drove to the mobile home to purchase more fentanyl capsules from YI. She said that she sent a video of the baby to YI to see if YI could help her determine what was wrong with the baby. She said that YI did not offer any assistance and that they did not discuss the baby's condition. Before departing, YI sold the mother fentanyl.

VI. Distribution of Fentanyl in February / March 2022

29. Investigators spoke with the baby's mother about the fentanyl she purchased from YI and MENDEZ before March 31, 2022. Investigators showed the baby's mother data obtained from the forensic extraction of her cellular telephone including text message communications and calls between her and YI. Investigators also showed the baby's mother location information acquired from the cellular telephone extraction. The baby's mother explained that these communications were related to her purchasing fentanyl from YI and MENDEZ. The following is a summary of some of the text message exchanges between February 7, 2022 and March 26, 2022 involving the mother and YI, as found within the mother's cellular phone extraction.

Date	Sender	Communication
2/7/22	Baby's Mother	"Hey love, I need to come get more and bring them to Lee at work but I have the baby with me so I can't keep her in the car forever so can you lmk when a good time is to come meet you"
2/14/22	Baby's Mother	"Passing over gateway PS can I get 21 and you not tell Lee lmao"
2/14/22	YI	"Yeah just call me"

Date	Sender	Communication
2/17/22	YI	“Hey come to my moms”
2/17/22	Baby’s Mother	“I’m gonna get another 14, I’ll leave right now as soon as I find my keys and shoes”
2/25/22	Baby’s Mother	“Everything ok?, I have the \$50 and I need another 14”
3/2/22	YI	“Hey babe I’m getting ready to take my daughter home I can’t be staying out late anymore I’m at my moms now if you need to see me is there anyway you can come see me here now please it would be greatly appreciated”
3/2/22	YI	“Call me ASAP, Don’t do the one I gave u, I gave you the wrong bad, bag, cal me, I gave u I8 of the wrong batch don’t do those, Come to my moms now!!!”
3/4/22, 3/5/22	Baby’s Mother	“Lmk if and where I can meet you for another 14, I would of called but baby is asleep in my arms, Lmk if and where I can meet you for another 14, no rush, I’ll be there in 30 minutes”
3/18/22	Baby’s Mother	“If you’re gonna go to your moms or be somewhere close to my place at any point can meet either of you wherever but I can’t leave the house until 5/5:30ish’
3/18/22	YI	“Hey babe . . . What’s up I’m at my moms”
3/18/22	Baby’s Mother	“Can I swing by at like 5”
3/18/22	YI	“Yeah that’s fine just call me”
3/26/22	Baby’s Mother	“I’m bringing a dirty baby because I legit JUST finished feeding her lol you may not judge me based on the excessive amount of food on my kids fave short hands and hair”

30. Investigators conducted analysis of cellular telephone communications between the baby’s mother and YI on March 28, 2022. At approximately 9:24 am, the mother placed an outgoing telephone call to YI that was answered and lasted approximately one minute and seven seconds. At approximately 9:47 am, the mother sent the following text message to the baby’s

father, "If your mom comments on what's taking me so long tell her I'm trying to get my prescription at Walgreens." At approximately 9:57 am, the baby's mother placed an outgoing telephone call to YI that was answered and lasted approximately twenty-one seconds. Investigators examined location information from the baby's mother's cellular telephone and found that at approximately 10:06 am, the mother's cellular telephone was at the Publix Plaza strip mall located at 4770 N. Congress Avenue, Boynton Beach, Florida. Investigators discussed these communications with the baby's mother to determine their importance in the investigation. The baby's mother said that she was waiting for YI to deliver fentanyl and needed to have the baby's father lie about her whereabouts.

31. Investigators conducted another analysis of cellular telephone communications and location information between the baby's mother and YI on March 30, 2022. Analysis revealed that at 1:09 pm, the mother placed an outgoing telephone call to YI which was answered and lasted approximately four minutes and thirteen seconds. Location data from the baby's mother's cellular telephone indicated that the call was made while the mother was at her apartment in Boynton Beach, Florida. Cellular telephone tower data indicated that YI's cellular telephone was in the area of western Lake Worth, near her residence on Via Mar Rosso, Lake Worth, Florida. At approximately 1:23 pm, YI placed an outgoing call to the baby's mother's cellular telephone. This call was answered and lasted approximately twenty-two seconds. Cellular telephone tower data showed that YI's phone was located in the same west Lake Worth area near her residence on Via Mar Rosso. At approximately 1:31 pm, a nearby Ring Doorbell camera captured video footage of the baby's mother leaving her residence. Data from the mother's cellular telephone extraction also shows that her phone connected to Bluetooth in or around the time she left her residence. Investigation further determined, using data from the mother's cellular telephone extraction, that

the mother traveled to Lantana Road. At approximately 2:00 pm, YI placed an outgoing telephone call to the baby's mother which was answered and lasted approximately one minute and twenty-one seconds. Minutes later, YI placed another outgoing call to the baby's mother at approximately 2:02 pm. This call was answered and lasted approximately fourteen seconds. Location data for the mother's cellular telephone showed her traveling west on Lantana Road near the turnpike. Cellular telephone tower data also showed YI's phone in the same area near her residence. At approximately 2:07 pm, YI placed an outgoing telephone call to the baby's mother. This call was answered and lasted approximately seventeen seconds. In and around that time, GPS location data for the mother's cellular telephone showed her near Lantana Road and Lyons Road. Cellular telephone tower data also showed YI's phone in the same area near her residence.

32. At approximately 2:10 pm, on March 30, 2022, YI placed an outgoing telephone call to the baby's mother. This call was answered and lasted approximately one minute and thirty-three seconds. GPS location data showed the baby's mother at the corner of Lantana Road and Lyons Road. It should be noted that there is a Dollar Tree located at that intersection and that location was one of several locations the baby's mother indicated she often met YI to purchase fentanyl. Cellular telephone tower data showed YI's phone to be less than a half mile away from the Dollar Tree and closer than the previous cellular telephone tower locations previously mentioned. At approximately 2:12 pm, GPS location data from the mother's cellular telephone showed her leaving the area of the Dollar Tree and traveling back east on Lantana Road. At approximately 2:22 pm the mother's vehicle was captured on a license plate reader while the vehicle was headed east on Lantana Road at the intersection of Haverhill Road. The mother's GPS telephone location information showed that the mother returned to her residence at approximately 2:43 pm. Based upon the reported frequency of the mother's drug use, and my training and

experience, I believe the mother purchased fentanyl from YI on March 30, 2022. I also believe that this transaction was the last purchase of fentanyl from YI prior to the baby's overdose and that ingestion of these drugs resulted in her death.

VII. DEA Undercover Investigation & Conspiracy of YI and MENDEZ

33. From December 2022 until the present, YI and MENDEZ have worked in concert to make numerous audio and video recorded distributions of fentanyl to two separate undercover officers. Investigators have also seized cellular telephones from YI and conducted forensic analysis of these phones resulting in the discovery of evidence, including the following Safari/Google search query on August 20, 2023, "what is the charge for killing someone in Florida with overdosing from fentanyl?" During the undercover controlled purchases of fentanyl YI has told the UCs, "hey listen be really careful with these alright," "they're real strong please be careful" and, "its dropping people, its dropping people, so you got to be careful alright."

34. On December 27, 2022, investigators conducted a controlled purchase from YI and MENDEZ. Investigators established surveillance at YI's mother's mobile home and the surrounding area prior to UC1 arriving. Surveillance personnel observed YI's vehicle backed into the driveway of the mobile home and occupied by MENDEZ. UC1 arrived and YI walked up to UC1's vehicle. YI told UC1 that she did not have the marijuana ready yet, and that she was waiting for the marijuana to be delivered. A short time later, surveillance personnel observed YI walk over to her vehicle that was still occupied by MENDEZ. YI got into the front passenger seat. Surveillance personnel observed that MENDEZ appeared to be moving in a manner consistent with preparing and packaging drugs for distribution to UC1. Surveillance personnel observed MENDEZ give YI an item. YI then got out of the vehicle and walked back to UC1. YI handed UC1 the bag of marijuana. UC1 asked YI if she had any fentanyl for sale, at which time YI said

yes and asked how much UC1 wanted. UC1 requested \$60.00 worth of fentanyl and handed YI \$60.00. Surveillance personnel observed YI walk back to the vehicle and speak with MENDEZ who retrieved an item from the vehicle and handed it to YI. YI returned to UC1 and handed UC1 the item MENDEZ had given to YI which was subsequently determined by the DEA Laboratory to be three capsules containing fentanyl.

35. On January 10, 2023, UC1 contacted YI to arrange the purchase of fentanyl and marijuana. YI agreed and directed UC1 to her mother's mobile home in Lake Worth, Florida. Surveillance units observed a black Dodge Challenger depart the Via Mar Rosso residence. MENDEZ was driving and YI was the front seat passenger. Surveillance personnel followed the Challenger to the mobile home where UC1 was waiting. The Challenger pulled next to and past UC1's vehicle. YI and MENDEZ, while on the phone with UC1, told UC1 to follow them. The Challenger stopped within feet of a surveillance unit that was already positioned in the area. The surveillance unit observed YI exit the front passenger seat of the Challenger, while speaking with MENDEZ. YI reached back into the vehicle toward MENDEZ and retrieved an item from MENDEZ. YI then walked to UC1's vehicle and handed UC1 the drugs which were subsequently determined by the DEA Laboratory to be fentanyl, and cocaine base (crack cocaine). YI also distributed suspected marijuana to UC1.

36. On January 25, 2023 UC1 communicated with YI via voice and text communications. YI agreed to sell UC1 fentanyl and marijuana. YI directed UC1 to her mother's mobile home. Surveillance units established themselves in and around the Via Mar Rosso residence. MENDEZ and YI exited the residence and got into their Lexus sedan. Surveillance units followed the Lexus and observed it conduct two suspected hand-to-hand drug distributions before meeting with UC1. The first suspected distribution occurred when the Lexus stopped in

front of the driveway of a mobile home. A female walked down the driveway from the mobile home and conducted a hand-to-hand exchange with MENDEZ, who was still in the driver's seat of the Lexus. After the distribution to the female subject MENDEZ drove away. After driving a short distance, the Lexus pulled to the side of the road. A vehicle pulled up behind the Lexus. A male exited the driver's door of the vehicle and walked to the driver's door of the Lexus. MENDEZ opened the driver's door of the Lexus, and the male reached into the open door and conducted an exchange with MENDEZ. The male then returned to his vehicle.

37. The Lexus drove away and was followed to the mobile home. MENDEZ parked in the carport of the mobile home. Both doors of the Lexus opened slightly, but MENDEZ and YI remained in the vehicle. Surveillance observed MENDEZ and YI making movements in the vehicle towards their lap area which were consistent with the packaging of drugs. YI exited the front-passenger door of the Lexus, walked to UC1's vehicle, and distributed 14 capsules containing a substance determined by the DEA Laboratory to contain fentanyl and approximately 10.9 grams of marijuana that field tested positive by the BBPD. MENDEZ remained in the Lexus with a clear view of UC1.

38. On February 23, 2023, UC1 contacted YI to arrange the details of a controlled purchase by UC2. YI directed UC1 to conduct a three-way phone call with UC2. UC1, UC2 and YI engaged in conversation and YI agreed to sell UC2 fentanyl. Surveillance units established themselves at the Via Mar Rosso residence and observed MENDEZ and YI get into a black, Infiniti sedan. Surveillance units followed YI and MENDEZ to the meet location in the parking lot of the YouFit Gym near Lantana Road and Congress Avenue in Lake Worth, Florida. MENDEZ drove past UC2 but instead of stopping MENDEZ continued driving through the parking lot traveling down several rows before finally parking the Infiniti in a manner where he could have a line of

sight of UC2's vehicle. YI got out of the Infiniti and walked to the UC vehicle where she distributed a substance determined by the DEA Laboratory to contain fentanyl.

39. On February 28, 2023 UC2 placed a phone call to YI at (***-***-4265 to arrange a controlled purchase of fentanyl. A male, believed to be MENDEZ, answered the telephone before putting YI on the line. The following below is the conversation that was recorded:

MENDEZ to UC2:	"Who this"
UC2 to MENDEZ:	"What's up its Zeke"
MENDEZ to UC2:	"Who this"
UC2 to MENDEZ:	"It's Zeke"
MENDEZ to UC2:	"Who"
UC2 to MENDEZ:	"Zeke, I'm trying to get ahold of Gina"
MENDEZ to UC2:	"It says says who"
UC2 to MENDEZ:	"Its Zeke"
MENDEZ to UC2:	"Oh Zeke"
YI (background):	"Zeke! Let me talk to him"
YI to UC2:	"What's up Zeke"
UC2 to YI:	"Hey what's up"
Yi to UC2:	"Hey what's up man my bad"
UC2 to YI:	"Naw your good I was like I was like fuck I must"
YI to UC2:	"I don't have my phone right now and I share my phone with my roommate"
UC2 to YI:	"Naw your good, how's everything"
YI to UC2:	"What's going on"
UC2 to YI:	"I'm trying to get the usual but tomorrow because I'm down in homestead right now"
YI to UC2:	"Alright tomorrow the usual"
UC2 to Yi:	"Yeah"
YI to UC2:	"We'll do the same spot"

40. On March 1, 2023 UC2 called YI at telephone (***-***-4265 to arrange the controlled purchase of fentanyl from YI and MENDEZ. Instead of YI answering the telephone a male answered the telephone. UC2 recognized the voice of the male subject as the same individual who had answered the telephone from the day before and the same individual who had been heard in the background of the call with YI and UC1 on February 23, 2023 who said, "ask him how much he wants". Investigators also reviewed a recorded post-arrest interview of MENDEZ by DEA and

PBSO from a prior investigation. Based on the investigation your Affiant believes the individual is MENDEZ. The following is the conversation UC2 had with MENDEZ:

MENDEZ to UC2: "Who's this"
UC2 to MENDEZ: "Its Zeke"
MENDEZ to UC2: "Oh Zeke, she's out dropping off the kids, she wants you to meet at the same spot as last time"
UC2 to MENDEZ: "Oh ok, I got up late as fuck, I'm about to head over there right now"
MENDEZ to UC2: "Naw hold off like 15mins, she'll call you once she's ready"
UC2 to MENDEZ: "Oh ok cool"

41. Surveillance was established at and in the area of the Via Mar Rosso residence in Lake Worth, Florida. MENDEZ and YI departed the area in the Dodge Challenger. Surveillance followed the Dodge Challenger to the YouFit Gym parking lot where UC2 was waiting in the UC vehicle. Once again MENDEZ had the ability to park close to UC2's vehicle but instead chose to drive farther away and park in a spot to the south of UC2's vehicle where he was close enough to observe YI meeting with UC2 but not in the immediate vicinity of UC2.

42. YI got out of the Challenger and walked to UC2's vehicle. YI opened the front passenger side door and distributed a white powdery substance to UC2. The DEA Laboratory determined that the substance contained fentanyl. UC2 told YI that UC2 had additional money and asked YI if she had more fentanyl on hand that she could sell to UC2. The following is a synopsis of that conversation with UC2:

YI to UC2: "Hey what's up"
UC2 to YI: "Hey what's up how are you doing, It took a minute"
YI to UC2: "My bad I'm sorry"
UC2 to YI: "Naw your good your good"
UC2 to YI: "Is it powder alright that works, let me ask you this I got another two hundred on my way up here, do you guys have anymore or"
YI to UC2: "Umm its capped up"
UC2 to YI: "How many"
YI to UC2: "Ummm"
UC2 to YI: "You do 15 for 2"
YI to UC2: "Idk what do you mean its 200 that's 15 that's 8 and 7"

UC2 to YI: "Yeah"
YI to UC2: "No that's what they do down there"
UC2 to YI: "Yeah"
YI to UC2: "Down where"
UC2 to YI: "Yeah but there shit its not fucking like yours, your shits actually pretty good so"
YI to UC2: "Yeah"
UC2 to YI: "How many can I get for two"
YI to UC2: "Two I can do umm I can do 10"
UC2 to YI: "Ten"
YI to UC2: "I can do six"
UC2 to YI: "Six caps"
YI to UC2: "Six for a hundred"
UC2 to YI: "Oh 12"
YI to UC2: "With the 12"
UC2 to YI: "Yeah that works"
YI to UC2: "That's why I said 10"
UC2 to YI: "Yeah I'll take that"

43. UC2 gave YI an additional \$200. YI walk back to the Dodge Challenger where MENDEZ was still seated in the driver's seat and spoke with MENDEZ. YI returned to UC2's vehicle and told UC2 that she could not sell UC2 additional fentanyl and returned the \$200 to UC2.

44. On March 8, 2023 investigators conducted a controlled purchase of fentanyl from YI and MENDEZ. Surveillance observed YI and MENDEZ get into YI's Lexus sedan that was parked in the driveway of their residence on Via Mar Rosso, Lake Worth, Florida. YI was the driver and MENDEZ was the front seat passenger. The Lexus departed and was followed by surveillance units to a residence in Lake Worth, Florida. The Lexus stopped and a female walked to the front passenger door of the Lexus. MENDEZ opened the front passenger door and conducted a hand-to-hand exchange with her. The Lexus drove away under surveillance. The Lexus drove to the parking lot of the YouFit Gym. The Lexus parked and YI exited the driver door. YI walked to UC2's vehicle and distributed a substance determined by the DEA Laboratory to contain fentanyl to UC2. YI returned to the Lexus and surveillance units followed the Lexus back to the Via Mar Rosso residence in Lake Worth, Florida.

45. On April 13, 2023 UC1 sent a text message to YI at phone number (***-****) ***-9255. UC1 arranged to purchase fentanyl and marijuana from YI. YI directed UC1 to meet her at her mother's mobile home. During this text message exchange YI told UC1, "I got fire caps too if you want". When YI refers to "caps" she is using common drug slang to describe gelatin capsules containing fentanyl. When YI refers to "fire" she is indicating that the fentanyl is powerful or strong. YI's assertion that she has "fire caps" for sale is further corroborated by her statement to UC1 referenced below where YI tells UC1 "be careful with these" and "they're real strong please be careful". These statements demonstrate YI's knowledge that the fentanyl that she is selling is dangerous. Below is a synopsis of the phone conversation between YI and UC1:

YI to UC1:	"Hey girl"
UC1 to YI:	"Hey boo, I'm back"
YI to UC1:	"I got fire trees too"
UC1 to YI:	"Yes that's what I wanted to fucking hear"
YI to UC1:	"I got fire caps too if you want"
UC1 to YI:	"Yeah let me get that too for my boyfriend"
YI to UC1:	"How much"
UC1 to YI:	"My usual, a half for me and two hundred for my boyfriend"
YI to UC1:	"Okay sweetie, let's meet at my mom's at four thirty"
UC1 to YI:	"That's perfect"
YI to UC1:	"Ok my love I'll see you then"
UC1 to YI:	"Alright boo bye"

46. Approximately ten minutes after this conversation YI sent the following text message to MENDEZ, "I need 200 Britt came back". "Britt" is the undercover name used by UC1 when conducting undercover operations with YI and MENDEZ. On April 13, 2023 DEA conducted an undercover controlled purchase of \$200 of fentanyl and \$120 of marijuana from YI.

47. Investigators established surveillance at YI's mother's mobile home and observed YI and MENDEZ arrive in their Infiniti sedan and park in the carport. YI got out of passenger door of the Infiniti and approached the UC vehicle. YI opened the passenger side door of UC1's vehicle and handed UC1 marijuana in a plastic wrapped bag. YI then removed an item from her

bra and gave it to UC1. This item was 10 capsules containing a white powder determined by the DEA Laboratory to contain fentanyl. Below is a transcript of the recorded conversation of YI and UC1 during the transaction:

UC1 to YI: "Hey boo"
YI to UC1: "Hey"
UC1 to YI: "What up girl"
YI to UC1: "Oh your nails look so cute"
UC1 to YI: "You like my Easter nails, oh look at you, got a little Easter vibe going on"
YI to UC1: "How you been"
UC1 to YI: "Good how about you"
YI to UC1: "Hey listen be really careful with these alright"
UC1 to YI: "Ok"
YI to UC1: "They're real strong please be careful"
UC1 to YI: "They're strong"

48. On June 2, 2023 surveillance was established at Via Mar Rosso, Lake Worth, Florida. YI and MENDEZ exited their residence and got into the Lexus sedan. Surveillance followed the Lexus to the YouFit Gym parking lot. The UC vehicle was already parked in front of the gym when the Lexus arrived. The Lexus parked and YI exited and walked to the UC vehicle. YI opened the front passenger door of the UC vehicle and distributed a white powder substance to UC2 that was determined by the DEA Laboratory to contain fentanyl. During the distribution to UC2 YI was using a plastic wrapped bag as a glove when she handed the knotted plastic bag containing the fentanyl to UC2. Below is some of the recorded conversation between YI and UC2 during the distribution:

YI to UC2: "Okay, I was going to let you know that I can get some fire purple shit too but it's a little bit more"
UC2 to YI: "How much"
YI to UC2: "I got to I got to I don't know yet, it depends on how much you want I got to go see if I can still get it, but its, its dropping people, its dropping people, so you got to be careful alright"
UC2 to YI: "Ok"

49. During this conversation with UC2, YI tells UC2 that she has “some fire purple shit” and that “its dropping people so you got to be careful alright”. Your Affiant knows from his experience investigating fentanyl distributors that there have been seizures and controlled purchases of purple colored fentanyl. In addition, as in prior controlled purchases, YI has demonstrated her knowledge of the danger of the fentanyl she is distributing when she has warned both UC1 and UC2 to “be careful”. During this exchange YI even tells UC2 that the purple fentanyl is “dropping people”. Your Affiant believes that YI is referring to people overdosing on fentanyl.

50. On December 12, 2023, investigators conducted an undercover controlled purchase of fentanyl and suspected marijuana from YI. YI directed UC1 to meet her at a strip mall on S. Military Trail, Lake Worth, Florida. Surveillance was established at the Via Mar Rosso residence in Lake Worth, Florida. Surveillance units observed YI and MENDEZ exit the front door of their residence and enter a BMW SUV. Surveillance units followed the BMW to the strip mall where UC1 was waiting. YI walked to the UC vehicle and distributed suspected marijuana and capsules containing a powder substance determined by the DEA Laboratory to contain fentanyl and heroin.

CONCLUSION

51. Based on the facts and information set forth in this affidavit, your affiant respectfully submits that there is probable cause to believe YI and MENDEZ did commit the criminal offense of conspiracy to distribute fentanyl and YI committed the criminal offense of distribution of fentanyl resulting in death, all in violation of Title 21, United States Code.

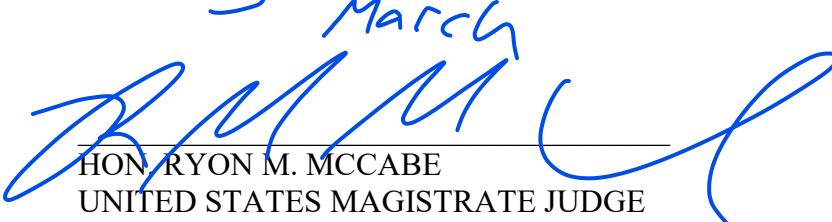
Respectfully submitted,

Daniel Tadeo

Daniel Tadeo
Special Agent
Drug Enforcement Administration

Sworn and Attested to me by
Applicant by Telephone (FaceTime)
per Fed.R.Crim.P. 4(d) and 4.1.
on this day 5 of February 2024.

March


HON. RYON M. MCCABE
UNITED STATES MAGISTRATE JUDGE